

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 15984 of 2007(C)

PETITIONER:

JOHNSON, S/O.KOCHAPPU,
AGED 72 YEARS, PROPRIETOR, ANNA RICE AND OIL
MILLS, MANNAMPETTA, VARAKKARA (PO),
THRISSUR.

BY ADV. SRI.SANTHAN V.NAIR
SRI.V.GOPIKRISHNA

RESPONDENTS:

1. STATE OF KERALA REPRESENTED BY THE
CHIEF SECRETARY, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.
2. THE KERALA STATE ELECTRICITY BOARD
REPRESENTED BY ITS M.D., VAIDHYUTHI BHAVAN,
PATTOM, TRIVANDRUM.
3. THE ASSISTANT ENGINEER,
KSEB ELECTRICAL SECTION, VARANAPILLY.

BY ADV. SHRI.P.P.THAJUDEEN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 15984 of 2007

Dated, this the 13th day of July, 2007

J U D G M E N T

Prayer in the writ petition is for a direction to the Kerala State Electricity Board to restore power supply to petitioner's Oil Mill, which is dismantled in August 2006. Learned Standing Counsel for Kerala State Electricity Board, on instructions, submitted that transformer is already overloaded and it is not possible to give fresh connections without changing the transformer and that several applicants are waiting. If there is such demand, transformer of high capacity has to be installed and if required fresh feeder line has to be provided. This is a matter for the Board to consider. In between, since petitioner is already enjoying a connection and is stated to be functioning on borrowed capital, I direct 3rd respondent to restore supply to the petitioner's Oil Mill on petitioner complying with all formalities and after imposing sufficient restrictions, such as prohibition of functioning of Oil Mill during peak hours especially after 6 o'clock in the evening. It is open to the 3rd respondent to limit the load also to such extent, that

only one expellor / crusher is allowed to be operated to reduce the load. It is for the Board to improve the facility either by collection from the consumers or otherwise. As and when power availability increases, petitioner's capacity also can be increased and restrictions imposed can be lifted. Petitioner will produce copy of this judgment before the 3rd respondent for compliance.

This writ petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE)